

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SAMUEL JOHNSON,	:	CIVIL ACTION
	:	
Petitioner,	:	
	:	
v.	:	NO. 13-3574
	:	
KERESTES, <u>et al.</u>,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 20th day of March, 2014, upon careful and independent consideration of the petition for a writ of habeas corpus with appended brief and exhibits, the response thereto and appended exhibits, available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, to which no objections have been filed, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DISMISSED**;
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000); and
4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

MITCHELL S. GOLDBERG, J.